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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/667,612	09/22/2000	G. Victor Guyan	,07752.0021	1862

7590 03/18/2002

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EXAMINER

BASHORE, ALAIN L

ART UNIT	PAPER NUMBER
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2164

DATE MAILED: 03/18/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/667,612

Applicant(s)

GUYAN ET AL.

Examiner

Alain L. Bashore

Art Unit

2164

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 January 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5-17, 19-31 and 33-55 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-17, 19-31, and 33-55 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: The first paragraphs of the specification appears to reference related applications which should be under the heading: Cross-References to Related Applications: See 37 CFR 1.78 and MPEP § 201.11. The applications must further be identified with serial number and date of filing.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1-3, 5-17, 19-31, 33-55 are rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for line item data processing for insurance claims, does not reasonably provide enablement for line item data processing toward other than for insurance claims. The specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make or use the invention commensurate in scope with these claims. The specification clearly states that the field of invention is related to insurance claim processing, to which the preferred embodiment is related, and the claims were originally

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presented thereto. Applicant has now removed recitations to a "claim handler" in the independent claims, thus the scope of the claims appears to now include more than insurance claim processing.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3, 5-9, 11-17, 19-23, 25-31, 32-37, 39-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Borghesi et al.

Borghesi et al discloses what is described in the previous 35 USC 102(b) rejection of the previous office action.

Borghesi et al teaches accessing various databases of authorized vendors, displaying a list of authorized vendors that correspond with at least one line item, and accessing vendor data associated with the list of authorized vendors (col 12, lines 44-58). Each database inherently has a vendor and vendor data (including names of the vendors), and each vendor inherently is "authorized" (since it is in the computer).

While Borghesi et al does not explicitly teach that there is received a selection of at least one vendor from the list of authorized vendors, it would have been obvious to one with ordinary skill in the art to include such to Borghesi et al since Borghesi et al

teaches that the user may use the information from a selected database thus selecting the vendor (col 12 , lines 39-44).

Borghesi et al teaches authorizing a line item payment including selecting at least one line item, receiving the selection of a form of payment and authorizing the transaction.

Regarding claims 2-6, 8 and 51, these claims now depend from a markush claim (new claim 50) where claims 2-6, 8, and 51 further define each one of alternative group elements. Since there is shown at least one group element, the claim recitation is met by the reference, regardless of recitations further defining other alternative group elements.

6. Claims 10, 24, and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Borghesi et al in view of Huffman as applied to claim s 1-3, 5-9, 11-17, 19-23, 25-31, 32-37, 39-55 above, and further in view of DiRienzo et al.

The claims are rejected as set forth in the previous office action.

Response to Arguments

7. Applicant's arguments filed 1-18-02 have been fully considered but they are not persuasive.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alain L. Bashore whose telephone number is 703-

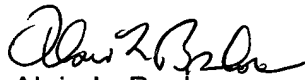
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308-1884. The examiner can normally be reached on about 7:30 am to 5:00 pm

(Alternate Fridays Off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on 703-308-1065. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.


Alain L. Bashore
March 13, 2002


VINCENT MILLIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100